

## Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-05 H-01

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 HA-05 OMB-01 /075 W

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FM AMEMBASSY ISLAMABAD

TO SECSTATE WASHDC 5480

INFO AMEMBASSY ANKARA

AMEMBASSY COLOMBO

AMEMBASSY DACCA

AMEMBASSY KABUL

AMCONSUL KARACHI

AMCONSUL LAHORE

AMEMBASSY LONDON

AMEMBASSY NEW DELHI

AMEMBASSY PARIS

AMEMBASSY TEHRAN

CINCPAC

CONFIDENTIAL ISLAMABAD 0568

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS: PINT, PK

SUBJECT: GOP ESTABLISHES SPECIAL COURTS

1. THE GOP HAS ESTABLISHED TWELVE SPECIAL COURTS TO TRY FORMER ELECTIVE OFFICE HOLDERS ACCUSED OF "MISCONDUCT IN OFFICE". ONE OF THE COURTS-EACH COMPOSED OF ONE JUDGE FROM THE PROVINCIAL HIGH COURTS- WILL HEAR CASES AGAINST A PERSON "WHO HAS HELD THE OFFICE OF PRESIDENT OR PRIME MINISTER" (READ Z.A. BHUTTO).

2. THE FORMATION OF THE SPECIAL COURTS IS BE LATEST

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ATTEMPT BY CHIEF MARTIAL LAW ADMINISTRATOR (CMLA) GENERAL ZIA TO SPEED UP THE ACCOUNTABILITY PROCESS. THIS STEP, HOWEVER, WILL GARNER MORE PUBLIC SUPPORT THAN PAST ATTEMPTS WHICH HAVE INCLUDED PROPOSALS FOR MILITARY TRIBUNALS. THE COURTS ARE ESTABLISHED BY PRESIDENTIAL ORDINANCE AND ARE ENTIRELY WITHIN THE PAKISTANI CIVILIAN JUDICIAL SYSTEM. THEIR FINDINGS CAN

BE APPEALED, WITHIN THIRTY DAYS, TO THE SUPREME COURT.  
ZIA, IN EFFECT, HAS SECONDED VARIOUS HIGH COURT JUSTICES  
TO WORK FULL TIME, WITHIN THE ACCEPTED GUIDELINES AND  
PRACTICES OF THE CIVIL LEGAL SYSTEM, ON CASES INVOLVING  
MALFEASANCE BY FORMER ELECTED OFFICE HOLDERS.

3. WE UNDERSTAND THAT ALTHOUGH THE MAJORITY OF THOSE WHO  
WILL BE TRIED WERE ELECTED ON PPP TICKETS, THE INVESTIGATIVE  
NET WILL ALSO DRAW IN SOME FORMER OPPOSITION POLITICIANS  
WHOSE ENRICHMENT AT PUBLIC EXPENSE EXCEEDED THE BOUNDS  
OF SUBCONTINENTAL PROPRIETY. MANY OF THE CASES AGAINST  
PPP REPRESENTATIVES ARE BASED ON THE EXTENSIVE FILES,  
NOW IN MARTIAL LAW HANDS, WHICH BHUTTO KEPT ON HIS  
COLLEAGUE TO WORK FULL TIME, WITHIN THE ACCEPTED GUIDELINES AND  
PRACTICES OF THE CIVIL LEGAL SYSTEM, ON CASES INVOLVING  
MALFEASANCE BY FORMER ELECTED OFFICE HOLDERS.

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NNN

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